

REMARKS

The Office Action of August 18, 2005 has been received and its contents carefully considered.

The present Amendment replaces the original claims with new claims having improved form under U.S. claim-drafting practice.

Sections 2 and 3 of the Office Action reject the claims under the first paragraph of 35 USC 112. These rejections are respectfully traversed for the reasons discussed below.

Like many applications prepared in foreign countries, this application is not written in Shakespearian English. It doesn't need to be. A patent application only needs to be sufficiently informative to advise an ordinarily skilled person how to make and use an invention without undue experimentation. The drawings are part of the disclosure and can be relied on for the information that they provide to an ordinarily skilled person as the ordinarily skilled person reads the specification. Moreover, an application need not explain to an ordinarily skilled person what the ordinarily skilled person would already know (in order to be ordinarily skilled). It should also be remembered that the requirement for an adequate disclosure that is imposed by the first paragraph of 35 USC 112 extends only to the subject matter that is claimed.

With the foregoing considerations in mind, it is respectfully submitted that the present application (text and drawings, both considered from the point of view of a person who already has enough knowledge about hand tools to be considered ordinarily skilled in the hand tool art) adequately support the present formulation of the claims. Accordingly, the rejections under the first paragraph of 35 USC 112 should be withdrawn.

Section 5 of the Office Action rejects the original claims for indefiniteness, under the second paragraph of 35 USC 112. This rejection is now moot, since the present Amendment replaces the original claims with new claims. It is respectfully submitted that the new claims are suitably definite under 35 USC 112, paragraph 2.

Section 7 of the Office Action rejects the original claims for anticipation by either Shea or Lin. For the reasons discussed below, however, it is respectfully submitted that the inventions defined by new independent claims 26, 30, and 35 are patentable over these references.

Independent claim 26 provides that a one-way drive arrangement connects a reciprocating handle to a transmission gearbox which drives a main shaft. It is respectfully submitted that such a transmission gearbox is neither disclosed or suggested by either reference. Claim 26 also includes other features that are not disclosed or suggested by the references, such as at least one of a lateral auxiliary handle and an axial auxiliary knob.

Independent claim 30 provides that a transmission mechanism includes first and second gears having different diameters (this is supported by some of the examples of transmission mechanisms shown in Figures 4-10 of the present application's drawings). Neither Shea nor Lin has such a transmission mechanism which includes first and second different-diameter gears. In both references, the angle of movement of the handle is the same as the angle of movement of the shaft, resulting in a 1:1 transmission ratio. Accordingly, it is respectfully submitted that Shea and Lin neither disclose nor suggest a hand tool in accordance with claim 30.

Independent claim 35 provides that a one-way drive arrangement connects a handle to a transmission mechanism, with “the handle being pivotable between a first position, wherein the handle extends radially from the column, and a second position, wherein the handle extends alongside a portion of the column.” This is shown, for example, in Figure 2 of the present application’s drawings. The advantage of this is that the handle of Applicant’s hand tool can be pivoted outward for use and then pivoted inward to achieve a compact configuration when it is time to put the tool away.

Shea’s handle is not pivotable. Shea’s arrangement necessarily takes up a lot of space in a toolbox. Lin has a handle 40 that can be pivoted, but not to a folded position alongside his element 50. Accordingly, it is respectfully submitted that neither reference suggests a handle that is pivotable between first and second positions in accordance with claim 35, with the second position being such that “the handle extends alongside a portion of the column.”

Since the remaining claims depend from the independent claim discussed above and recite additional limitations to further define the invention, they are patentable along with the independent claim and need not be further discussed. It is nevertheless noted that dependent claim 31 provides that “the transmission mechanism has a transmission ratio such that movement of the handle in the first direction by a given angle results in movement of the main shaft by an angle different from the given angle.” This is not disclosed or suggested by Shea or Lin.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script that reads "Allen Wood". The signature is written in dark ink and is positioned above a horizontal line.

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